

their duly authorized representatives “have the right of timely and unrestricted access to any books, documents, papers, or other records of recipients that are pertinent to the awards, in order to make audits, examinations, excerpts, transcripts, or copies of such documents”); and

(d) Submit Financial Status Reports, as set forth in 45 CFR 74.52, as required by the NIMHD and in the form prescribed. A final Financial Status Report shall be required 20 years after the end of the project period.

**§ 52i.12 What happens if a grantee fails to administer the research endowment grant in accordance with applicable regulations?**

(a) The Director, after giving notice and an opportunity for a hearing, may authorize the termination of a grant awarded and/or recovery of funds under this part during the 20-year period if the grantee:

(1) Withdraws or spends any part of the endowment fund corpus in violation of this part;

(2) Spends any portion of the endowment fund income not permitted to be spent in this part;

(3) Fails to invest the endowment fund corpus in accordance with the investment standards set forth in this part;

(4) Fails to meet the requirements in § 52i.7; or

(5) Otherwise fails to comply with the terms and conditions of the award.

(b) Recovery of funds may include up to the amount of endowment awards plus any income earned.

**§ 52i.13 Other HHS policies and regulations that apply.**

Several other regulations and policies apply to grants under this part. These include, but are not limited to:

(a) 2 CFR part 376—HHS Nonprocurement debarment and suspension.

(b) 42 CFR part 50, subpart D—Public Health Service grant appeals procedure.

(c) 42 CFR part 93—Public Health Service policies on research misconduct.

(d) 45 CFR part 16—Procedures of the Departmental Grant Appeals Board.

(e) 45 CFR part 46—Protection of human subjects.

(f) 45 CFR part 74—Uniform administrative requirements for awards and subawards to institutions of higher education, hospitals, other nonprofit organizations, and commercial organizations; and certain grants and agreements with states, local governments, and Indian tribal governments.

(g) 45 CFR part 80—Nondiscrimination under programs receiving federal assistance through the Department of Health and Human Services effectuation of Title VI of the Civil Rights Act of 1964.

(h) 45 CFR part 81—Practice and procedure for hearings under part 80 of this chapter.

(i) 2 CFR part 382—Requirements for drug-free workplace (financial assistance).

(j) 45 CFR part 84—Nondiscrimination on the basis of handicap in programs or activities receiving federal financial assistance.

(k) 45 CFR part 86—Nondiscrimination on the basis of sex in education programs or activities receiving federal financial assistance.

(l) 45 CFR part 91—Nondiscrimination on the basis of age in programs or activities receiving federal financial assistance from HHS.

(m) 45 CFR part 92—Uniform administrative requirements for grants and cooperative agreements to State, local, and tribal governments.

(n) 45 CFR part 93—New restrictions on lobbying.

(o) NIH Guidelines for Research Involving Recombinant or Synthetic Nucleic Acid Molecules at [http://osp.od.nih.gov/sites/default/files/NIH\\_Guidelines\\_0.pdf](http://osp.od.nih.gov/sites/default/files/NIH_Guidelines_0.pdf). Further information may be obtained from the NIH Office of Biotechnology Activities via email at [OBA-OSP@od.nih.gov](mailto:OBA-OSP@od.nih.gov) or the OBA Web site at <http://osp.od.nih.gov/office-biotechnology-activities>.

(p) NIH Guidelines on the Inclusion of Women and Minorities as Subjects in Clinical Research at <http://grants.nih.gov/grants/guide/notice-files/NOT-OD-02-001.html>. Further information may be obtained from the NIH Office of Research on Women's Health via email at [ORWHINFO@mail.nih.gov](mailto:ORWHINFO@mail.nih.gov) or the ORWH Web site at <http://ORWH.od.nih.gov>.